

ENTERED

April 04, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

MADHAVAN PISHARODI,

§

Plaintiff,

§

VS.

§

WELLS FARGO BANK, N.A.,

§

Defendant.

§

CIVIL ACTION NO. 1:19-CV-041

ORDER

In 2009, Plaintiff Dr. Madhavan Pisharodi signed a lease agreement for a safe deposit box with Defendant Wells Fargo Bank, N.A. (Petition, Doc. 1-4, 6) Dr. Pisharodi alleges that he stored gold and jewelry with an estimated value of \$897,412,.60, and that the items remained there when he accessed the box in August 2013. (*Id.* at 7) He did not access the box again until April 2017, when he discovered that it was empty. (*Id.*)

In February 2019, Dr. Pisharodi filed suit against Wells Fargo, alleging breach of contract, civil conversion, negligence, and violations of the Texas Deceptive Trade Practices Consumer Protection Act in relation to the missing items from his safe deposit box. (*Id.* at 8–11) In December 2021, Wells Fargo moved for summary judgment as to all of Pisharodi's causes of action. (Motion, Doc. 31)

A United States Magistrate Judge recommends that Wells Fargo's Motion for Summary Judgment be granted because Dr. Pisharodi has failed to show a genuine dispute of material fact as to any of his causes of action. (Amended R&R, Doc. 35) Dr. Pisharodi timely filed objections. (Doc. 36) As a result, the Court conducts a *de novo* review of the challenged portions of the Report and Recommendation. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

Based on the record and the applicable law, the Court finds that the Report and Recommendation correctly applies the law to Wells Fargo's Motion for Summary Judgment.

As a result, the Court **OVERRULES** Dr. Pisharodi's objections and **ADOPTS** the Report and Recommendation (Doc. 35). It is:

ORDERED that Defendant Wells Fargo Bank, N.A.'s Motion for Summary Judgment (Doc. 20) is **GRANTED**; and

ORDERED that all of Plaintiff Dr. Madhavan Pisharodi's causes of action against Defendant Wells Fargo Bank, N.A. are **DISMISSED WITH PREJUDICE**.

The Court will issue a Final Judgment in accordance with this Order.

Signed on April 4, 2022.



Fernando Rodriguez, Jr.
United States District Judge